

**RULES
OF
TENNESSEE DEPARTMENT OF HEALTH
BUREAU OF PERSONAL HEALTH SERVICES-DIVISION OF FAMILY HEALTH
SERVICES**

**CHAPTER 1200-16-1
FAMILY PLANNING**

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1200-16-1-.01 DEFINITION OF TERMS. For the purposes of these rules and regulations and as used herein:

- (a) “Department” means the Tennessee Department of Health.
- (b) “Commissioner” means the Commissioner of the Tennessee Department of Health.
- (c) “Physician” means any doctor of medicine or doctor of osteopathy dully licensed to practice his profession in Tennessee or the state in which he resides and lawfully practices his profession.
- (d) “Contraceptive Procedures” means any medically accepted procedure designed to prevent conception.
- (e) “Contraceptive Supplies” means those medically approved items designed to prevent conception through chemical, mechanical or other means.
- (f) “Contraceptive Services” means all medically approved contraceptive procedures and supplies designed to prevent conception.
- (g) “Local Health Department” means any local governmental health agency functioning pursuant to T.C.A. Section 53-308 and providing contraceptive services.

Authority: T.C.A. §53-4606. **Administrative History.** Original Rule filed January 27, 1975, effective February 26, 1975.

1200-16-1-.02 POLICY. It shall be the policy of the Department in implementing The Family Planning Act of 1971 T.C.A. §53-4601 et seq., that:

- (a) All contraceptive services and information thereof, shall be provided by local health department to any eligible patient under the supervision of the Department.
- (b) Physicians and family planning nurse practitioners employed by the Department or by a local health department, shall, except as hereinafter such services are requested and voluntarily consented to by the patient.

(Rule 1200-16-1-.02, continued)

- (c) Any physician employed by the Department or any local health department shall not be prohibited from performing on any patient a surgical interruption of the vas deferens or fallopian tubes; provided such procedure is requested and voluntarily consented to by the patient.
- (d) In accord with the provisions of T.C.A. Section 53-4604(c) nothing herein shall prohibit a physician or family planning nurse practitioner from refusing to furnish any contraceptive procedures, supplies or information where such refusal is for medical reasons.

Authority: T.C.A. §53-4606. *Administrative History.* Original Rule filed January 27, 1975, effective February 26, 1975.

1200-16-1-.03 ELIGIBILITY FOR CONTRACEPTIVE SERVICES. All medically acceptable contraceptive procedures, supplies, and information shall be readily and practicably available to each and every person desirous of the same regardless of sex, race, age, income, number of children, marital status, citizenship or motive in accordance with fee schedules, rules and regulations promulgated by the Commissioner.

Authority: T.C.A. §53-4606. *Administrative History.* Original Rule filed January 27, 1975, effective February 26, 1975.

1200-16-1-.04 FREQUENCY OF AVAILABILITY OF CONTRACEPTIVE SERVICES REQUIRED OF LOCAL HEALTH DEPARTMENTS. Each local health department shall make contraceptive supplies available at least one half day per week during each week of the calendar year, in at least one location in the area serviced by such local health department in a regular and scheduled manner. Nothing under these rules and regulations shall prohibit a local health department from providing family planning services simultaneously with any other services offered by such local health departments.

Authority: T.C.A. §53-4606. *Administrative History.* Original Rule filed January 27, 1975, effective February 26, 1975.

1200-16-1-.05 NOTICE. The general public served by each local health department shall be reasonably notified of the date, time and place contraceptive services will be made available.

Authority: T.C.A. §53-4606. *Administrative History.* Original Rule filed January 27, 1975, effective February 26, 1975.

1200-16-1-.06 ADMINISTRATIVE AND MEDICAL PROCESURES. Each local health department in providing contraceptive services shall comply with the Department's administrative and record keeping procedures, and medical standards.

Authority: T.C.A. §53-4606. *Administrative History.* Original Rule filed January 27, 1975, effective February 26, 1975.

1200-16-1-.07 PROCEDURES TO BE FOLLOWED IN PROVIDING CONTRACEPTIVE SUPPLIES REQUIRING A PRESCRIPTION.

- (1) Any eligible patient requesting contraceptive supplies requiring a prescription shall be provided such services only after the following tests and procedures are performed and annually thereafter:
 - (a) A physical examination and history
 - (b) A pap smear and breast examination
 - (c) A G.C. culture

(Rule 1200-16-1-.07, continued)

- (d) A blood pressure
 - (e) A hematocrit
- (2) The exception to this is the patient who has had performed one or all of these tests within three months of the initial visit at another clinic or private physician's office and the results are available. The test or tests need not be repeated unless clinical evidence indicates need. Any patient desiring not to have these procedures performed shall be ineligible for contraceptive supplies requiring prescription.

Authority: T.C.A. §53-4606. **Administrative History.** Original Rule filed January 27, 1975, effective February 26, 1975. Rule Amended, filed January 14, 1976, effective February 13, 1976. Rule Amended, filed June 14, 1976, effective July 14, 1976.

1200-16-1-.08 CONTRACEPTIVE SUPPLIES NOT REQUIRING A PRESCRIPTION. All contraceptive supplies not requiring a prescription shall be made available to all eligible patients upon demand in reasonable quantities. A nonprofessional department or local health department employee shall not be prohibited by these rules and regulations from dispensing nonprescription contraceptive supplies. In all such cases the patient shall be given instructions on the use of such supplies and advised as to the advisability of receiving a physical examination and laboratory tests but such examination and tests shall not be required.

Authority: T.C.A. §53-4606. **Administrative History.** Original Rule filed January 27, 1975, effective February 26, 1975.

1200-16-1-.09 PROCEDURE FOR PROVIDING INTRAUTERINE DEVICES. Any eligible patient shall be provided an intrauterine device unless medically contraindicated, provided the requirements for physical examination and testing under Rule 1200-16-1-.07 of these rules and regulations are fully complied with. Local health departments not having a physician or family planning nurse practitioner willing and competent to provide such service shall so indicate, and the director of family planning of the department is authorized to arrange an alternative means to secure the service.

Authority: T.C.A. §53-4606. **Administrative History.** Original Rule filed January 27, 1975, effective February 26, 1975.

1200-16-1-.10 COOPERATION OF LOCAL HEALTH DEPARTMENTS. Local health departments shall cooperate with the state departments of public health and public welfare in giving timely appointments to all referrals from said departments and advising same on the disposition of such referrals. Use of official departments forms is encouraged.

Authority: T.C.A. §53-4606. **Administrative History.** Original Rule filed January 27, 1975, effective February 26, 1975.